

# Federal Advisory Committee (FAC) Membership Balance Plan

Please read the [Federal Advisory Committee Membership Balance Plan Guidance](#) prior to completing this form

<b>(1) FEDERAL ADVISORY COMMITTEE NAME</b> <i>State the legal name of the FAC</i>
DEPARTMENT OF STATE ADVISORY COMMITTEE ON PRIVATE INTERNATIONAL LAW
<b>(2) AUTHORITY</b> <i>Identify the authority for establishing the FAC</i>
The Committee is established under the general authority of the Secretary of State and the Department of State as set forth in Title 22 of the United States Code, including sections 269g, 2651a and 2656 of that Title. The approval of this Charter by the Under Secretary for Management constitutes a determination by the Secretary that the maintenance of the Committee is in the public interest in connection with the performance of duties authorized for the Department of State.
<b>(3) MISSION/FUNCTION</b> <i>Describe the mission/function of the FAC</i>
The purpose of the Committee shall be to serve the Department in a solely advisory capacity with respect to significant issues of international private law arising or likely to arise in the work of international organizations of which the United States is a Member State, or in international bodies in whose work the United States has an interest, or in the foreign relations of the United States. The functions of the Committee shall be solely advisory, and any determination or action to be taken that is the subject of any recommendations made by the Committee or any of its members will in all cases be made by appropriate officers of the United States Government.
<b>(4) POINTS OF VIEW</b> <i>Based on understanding the purpose of the FAC,</i> <i>(a) describe the process that will be used to ensure the committee is balanced, and identify the categories (e.g. individual expertise or represented interests) from which candidates will be considered;</i> <i>(b) consider identifying an anticipated relative distribution of candidates across the categories; and</i> <i>(c) explain how a determination was made to appoint any individuals as Special Government Employees or Representative members</i>
The Committee consists of one or more representatives of the Department of State; representatives of the Departments of Justice and Commerce and such other agencies as may from time to time be requested to participate; representatives of national organizations whose professional activities involve the field of private international law; and other experts in private international law.  The Chair of the Committee may invite representatives of other agencies, members of national organizations or other experts in private international law to serve as members of the Committee.
<b>(5) OTHER BALANCE FACTORS</b> <i>List any other factors your agency identifies as important in achieving a balanced FAC</i>
The members of the Committee are selected with a view to obtaining a broad balance of viewpoints concerning matters of private international law, so that the Department of State may benefit from divergent views.
<b>(6) CANDIDATE IDENTIFICATION PROCESS</b>

<p><i>Summarize the process intended to be used to identify candidates for the FAC, key resources expected to be tapped to identify candidates and the key persons (by position, not name) who will evaluate FAC balance. The summary should:</i></p> <ul style="list-style-type: none"> <li><i>(a) describe the process</i></li> <li><i>(b) identify the agency key staff involved (by position, not name)</i></li> <li><i>(c) briefly describe how FAC vacancies, if any, will be handled by the agency; and</i></li> <li><i>(d) state the membership term limit of FAC members, if applicable</i></li> </ul>
<p><b>Candidates are identified by the Chair, Vice Chair, and Executive Director, in consultation with other representatives of the Department of State and, as appropriate, representatives of other federal agencies or members of the private sector.</b></p> <p><b>As there is not a prescribed number of Committee members, there are typically not vacancies that require filling. From time to time, consideration may be given to adding new members.</b></p> <p><b>Unless otherwise stated, a member's term of appointment is renewed along with the Charter every two years.</b></p>
<p><b>(7) SUBCOMMITTEE BALANCE</b></p> <p><i>Subcommittees subject to FACA* should either state that the process for determining FAC member balance on subcommittees is the same as the process for the parent FAC, or describe how it is different</i></p> <p><i>*This is relevant to those agencies that require their subcommittees to follow all FACA requirements.</i></p>
<p><b>Study groups that are established to provide advice to the Committee on specialized subjects of private international law are open to public participation.</b></p>
<p><b>(8) OTHER</b></p> <p><i>Provide any additional information that supports the balance of the FAC</i></p>
<p><b>(9) DATE PREPARED/UPDATED</b></p> <p><i>Insert the actual date the Membership Balance Plan was initially prepared, along with the date(s) the Plan is updated</i></p>
<p><b>October 8, 2015</b></p>